

PUBLIC HEARING
ON THE
PROPOSED REVISED SHELL OFFSHORE, INC.
KULLUK AIR QUALITY PERMIT #R10OCS-AK-07-01

Taken March 26, 2008
Commencing at 7:28 p.m.

Volume I - Pages 1 - 36, inclusive

Taken at
Kaktovik City Hall
Kaktovik, Alaska

Reported by:
Mary A. Vavrik, RMR

1 A-P-P-E-A-R-A-N-C-E-S

2 For Environmental Protection Agency Region 10:

3 Dan Mahar
4 Environmental Engineer

5 Dan Meyer
6 Environmental Engineer

7 Ted Rockwell
8 Senior Advisor Oil and Gas Sector

9 Rick Albright
10 Director Office of Air, Waste and Toxics

11 Cathy Villa
12 Tribal Coordinator

13 Taken by:

14 Mary A. Vavrik, RMR

15 BE IT KNOWN that the proceedings were taken at the
16 time and place duly noted on the title page, before
17 Mary A. Vavrik, Registered Merit Reporter and Notary
18 Public within and for the State of Alaska.
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21
22
23
24
25

1 P-R-O-C-E-E-D-I-N-G-S

2 MR. ROCKWELL: I believe the pastor
3 was going to lead us in the invocation.

4 (Invocation by Pastor Harvey Fox.)

5 MR. ROCKWELL: I'd like to welcome
6 you all here tonight. Thank you very much. Again,
7 my name is Ted Rockwell, and I work for Region 10
8 EPA in the Alaska Operations Office. I'm the Senior
9 Advisor for the Oil and Gas Sector.

10 I'd like to ask anyone who wishes to give
11 testimony to be sure to sign in at the back and
12 indicate that you intend to give testimony. That's
13 the only way that I'll know that you are intending
14 to give testimony. It's the only way that I'll be
15 able to ask you to come up and give your name and
16 address and who you are representing for the court
17 recorder that we have.

18 In addition to me, as the hearing officer,
19 other folks that we have here from EPA I'd like to
20 introduce. Mr. Rick Albright, to my right, is the
21 Director of the Air, Waste and Toxics Office in
22 Region 10 in Seattle. Dan Meyer I introduced
23 earlier as permit writer/permit engineer in our
24 Seattle office. In the back of the room we have Dan
25 Mahar, our other Dan who has been busy with the

1 sign-in sheet, and he is also a permit engineer in
2 our Seattle office. And Cathy Villa is in our
3 Alaska Operations Office in Anchorage and is a
4 tribal liaison for us.

5 In addition to the EPA people present, Mary
6 Vavrik is our court reporter, and she will be
7 providing us with a verbatim transcript of this
8 hearing.

9 I want to remind you that this is a
10 hearing, and we are here to get your testimony, so
11 we are not here to have discussion. We are here to
12 get your testimony. We want to make sure that we
13 have an accurate record of what you are telling us
14 so that we can take it back and it can be part of
15 the consideration, part of the record for the permit
16 decision that we have in front of us.

17 So again, I would like to make sure that
18 you remember to sign in back there if you want to
19 provide testimony.

20 Today we are starting the hearing at about
21 7:30 p.m. It's taking place on Wednesday, March 26,
22 2008 in the Kaktovik City Council.

23 MR. FREDDIE C. AISHANNA: City
24 Hall.

25 MR. ROCKWELL: There we go. I

1 couldn't think of that word for anything. Thank you
2 very much. City Hall. Notices of this hearing were
3 posted -- to be posted on the community -- around
4 the community. The hearing was published in the
5 Anchorage Daily News on February 21, 2008. We are
6 hoping to hear all of your comments today.

7 Depending upon the number of people, we are hoping
8 to not have to limit the time that -- that you have
9 for testimony. If you have written testimony, we
10 certainly want that written testimony.

11 The details of the project's air pollution
12 impacts and EPA's preliminary decision are
13 documented in writing. EPA made available those
14 documents on February 25, 2008. Those were Shell's
15 application, EPA's proposed revised air permit,
16 EPA's accompanying support materials. A hard copy
17 of the material is available in the Kaktovik City
18 Offices here in Kaktovik. The information is also
19 available on the Internet at the web address that's
20 printed in the handouts that are at the back table.

21 Your comments tonight will help us finalize
22 or modify the permit as currently proposed. We are
23 most interested in your ideas about the revised
24 portions of this permit, including the ambient
25 impact assessment and our preliminary determination

1 that major source review is unnecessary.

2 If you think that EPA should deny Shell's
3 application or issue the permit, it is important for
4 EPA to hear this, along with the reasons why. EPA
5 will respond to the testimony. Our response will be
6 in writing and will accompany the final permit
7 decision. If you provide us contact details, we
8 will send you a copy of tonight's testimony, EPA's
9 written response, and EPA's final permit decision.
10 You can provide those contact details, as I said, on
11 the sign-up sheet at the back of the room.

12 In addition to taking oral testimony, EPA
13 is also accepting written comments. If you don't
14 want to testify tonight, you can provide us with
15 written comments either today using the comment
16 sheet that we have in back, or you can mail your
17 comments to us at the address that is on the sheet
18 in back.

19 When you are providing your oral testimony
20 today, I would ask you to speak clearly, spell your
21 last name and where you are from and who you are
22 representing if you are representing a firm, a
23 company, or an organization.

24 It's very important that our court reporter
25 be able to have an accurate understanding of who is

1 providing what comment. And it's important to us so
2 that in our response to comments we are able to
3 attribute a particular comment to you and be able to
4 respond to you so that you, when you see the
5 response, you will know that we heard what you said
6 and this is our response to what you said.

7 We will begin the hearing now. The first
8 person that I'd like to ask is the mayor of
9 Kaktovik, George Kaleakok.

10 MR. FREDDIE C. AISHANNA: Freddie.
11 Good evening. My name is Freddie C. Aishanna,
12 A-I-S-H-A-N-N-A. First of all, I'm going to
13 represent the Inupiat people of Kaktovik, the City
14 of Kaktovik, and the whaling -- Kaktovik Whaling
15 Captains' Association.

16 My first point I'd like to make is that
17 since the beginning of the offshore permits that
18 Shell and whoever else were applying for, we have
19 been opposed to such offshore drilling. Now it's
20 come to the point where they are asking for
21 emissions permitting.

22 And for the one -- life of me, I don't know
23 who comes up with this 250 tons per year, and I
24 don't know how they will monitor exactly what is 250
25 tons per year. And also with that 25-year-old rig,

1 I don't believe that should be in the operation, if
2 it should pass.

3 And following that, I think the permit that
4 they requested is the last one that got rejected by
5 the EPA or -- and I'd like to see it rejected again.
6 It has to with pretty much the same as last year's
7 permit. And I really think this will hurt the
8 Inupiat people if this were to pass. And for the
9 life of me, for the community, just let them stay
10 out of our ocean.

11 Thank you.

12 MR. ROCKWELL: Thank you. And I
13 believe Barrett Ristroph representing the mayor of
14 the North Slope Borough.

15 MS. BARRETT RISTROPH: Good evening,
16 everyone. I am Barrett Ristroph. And you may
17 already have my name, but I'll just spell it again.
18 B-A-R-R-E-T-T, last name R-I-S-T-R-O-P-H.

19 Tonight I'm presenting testimony on behalf
20 of Mayor Edward Itta and Director of Planning,
21 Johnny Aiken. A lot of people would very much like
22 to be here tonight, including the mayor and Johnny
23 Aiken, but there are a lot of other things going on
24 this week, as you know, including the Elders and
25 Youth Conference.

1 We would like to thank the EPA for holding
2 informational sessions and public meetings in the
3 communities affected by the Shell permitting
4 decision. The Inupiat culture places a very high
5 value on listening and learning from each other. We
6 are pleased that both the EPA and Shell are here to
7 listen to the community. We hope you will take what
8 you hear this evening very seriously.

9 The borough appreciates EPA's efforts this
10 year to improve community outreach and planning for
11 these meetings. We got off to a rocky start last
12 year when EPA scheduled the Shell air permit public
13 process during spring whaling. We are pleased that
14 EPA has scheduled these meetings prior to our hunt.
15 It demonstrates respect for our Inupiat traditions
16 and it provides an opportunity for our communities
17 to fully participate in the public process.

18 We know the community has a number of
19 concerns about the Shell offshore exploration
20 program, but I want to remind everyone testifying
21 tonight that EPA is only here to talk about whether
22 they should issue Shell an air permit to drill
23 exploration wells in the Beaufort Sea using the
24 Kulluk drill ship and its support vessels. At this
25 meeting, EPA can only consider comments that are

1 directly related to Shell's air permit for the
2 Kulluk exploration drilling program.

3 At this point, I would like to take a
4 moment to remind the community of a bit of history
5 on this project. There are two main categories of
6 air pollution permits under the Clean Air Act.
7 Those are for minor sources of air pollution and
8 those for major sources. Back in 2007 EPA issued
9 two minor source air permits to Shell. One minor
10 source air permit was issued to Shell for the Kulluk
11 drill ship, and another for the Discoverer drill
12 ship. The NSB, Native villages, and ICAS all
13 opposed these permits because we believed it was
14 inappropriate to issue a minor source air permit to
15 major sources of air pollution.

16 We shared our concerns with EPA by
17 submitting formal written comments and by providing
18 oral testimony. However, EPA did not satisfactorily
19 address our concerns. EPA went ahead and issued
20 minor air permits, despite our objections, which
21 forced us to appeal the 2007 Shell air permits to
22 the Environmental Appeals Board.

23 As a result of the appeal, the
24 Environmental Appeals Board sent both the Kulluk and
25 the Discoverer drill permits back to EPA to revise

1 them and, in particular, to reconsider whether EPA
2 had appropriately issued a minor air permit to these
3 large industrial sources of air pollution.

4 Shell has decided not to use the Discoverer
5 drill ship this year, so the only permit we are
6 talking about tonight is the air permit for the
7 Kulluk drill ship. Since the September 2007
8 Environmental Appeals Board order, EPA has taken
9 about six months to re-examine and issue a revised
10 permit. Tonight EPA wants input on their revised
11 air permit for the Kulluk drilling operation.

12 The North Slope Borough is very
13 disappointed in this proposed air permit. EPA has
14 offered us essentially the same permit, the same
15 permit that we rejected last year. This permit does
16 not represent any significant reduction in emissions
17 from the 2007 permit. EPA has not required Shell to
18 install any new air pollution controls. The agency
19 has merely added legal language to defend the permit
20 it issued back in 2007. Once EPA issues this
21 permit, it will be good for as long as the Kulluk
22 continues drilling out there. It is important that
23 this permit addresses our concerns because once it
24 is issued, we are going to have to live with the
25 permits for a good, long time.

1 The fundamental problem with this revised
2 permit is that EPA is still proposing to issue minor
3 stationary source permits to Shell for each well
4 they drill instead of considering Shell's whole
5 exploration program as one major project. They
6 would require more -- it would require more
7 stringent air pollution controls.

8 Shell is proposing to use the Kulluk to
9 drill exploration wells in the Beaufort Sea. The
10 Kulluk has a number of air pollution sources,
11 including big, powerful engines to run the rig,
12 boilers, fuel tanks, and incinerator. To support
13 this drill ship, there will be two big ice breakers
14 with large engines, incinerators and boilers, and
15 resupply vessels, oil spill response vessels, and
16 fuel tankers that all contribute to air pollution.

17 We have asked EPA to combine all the
18 pollution from all the wells they drill in the same
19 drilling season into one major permit that
20 encompasses Shell's entire exploration program. For
21 example, Shell is proposing to drill three wells
22 into the Sivulliq Prospect this year. These wells
23 are located only a few miles from each other. EPA
24 is proposing to permit each well as a separate
25 project so they can issue a minor permit for each

1 well. The benefit to Shell is that they do not have
2 to install additional air pollution controls. We do
3 not think that the air pollution from wells just a
4 few miles from each other should be given separate
5 minor air permits to avoid installing additional
6 pollution controls.

7 Air permitting is complicated business, so
8 I'm going to try to simplify it as much as possible.
9 A major source air permit represents the best
10 protection of human health because it requires the
11 polluter to install the best available pollution
12 control technology. When we talk about major source
13 air permits for Shell, you may also hear the term
14 PSD permits. It means a permit that is issued to
15 prevent significant deterioration to our air.
16 Preventing any further deterioration of the air
17 quality in the North Slope is important because our
18 health and our way of life are sensitive to
19 increases in air pollution.

20 Before Shell became involved in this
21 project, it was ARCO that was going to use the
22 Kulluk in the Beaufort Sea to do exploration
23 drilling. ARCO worked with EPA to obtain a major
24 source air permit for the Kulluk, a PSD permit.
25 ARCO evaluated the state-of-the-art technology in

1 pollution control and made sure they upgraded their
2 equipment to protect health and the environment.
3 This is the type of corporate and government
4 cooperation we are asking from EPA and Shell. We
5 would simply like them to ensure that the best
6 available pollution controls are installed to
7 protect our health.

8 There is nothing preventing Shell from
9 asking EPA to start working with them on a major PSD
10 air permit and put this whole matter to rest. Yet,
11 despite our repeated requests, Shell has been
12 unwilling to respond to the communities' concerns on
13 this permit. Instead, Shell has asked EPA to issue
14 minor air permits for each exploration well. By
15 dividing the exploration program into several
16 pieces, Shell can keep the amount of air pollution
17 at each well just below the threshold for obtaining
18 a major air permit. If we were to add up the air
19 pollution even from two wells in their program,
20 Shell would exceed the threshold for a major permit.

21 Shell has asked EPA to divide the
22 exploration program into multiple minor air permits
23 for each well because they will save money by not
24 having to study whether the best available pollution
25 control technology is installed, and they will also

1 save money by not having to install, operate, and
2 maintain additional emission control equipment.

3 The borough has hired consultants to review
4 this permit. We are confident that a major PSD air
5 permit review would result in Shell installing
6 additional emission control, especially on the main
7 engines. We are concerned about the bad precedent
8 it would set if EPA and industry are able to
9 partition major industrial operations into small
10 pieces to avoid installing better air pollution
11 controls. This is bad public policy and is not
12 consistent with the goals of the Clean Air Act.

13 We urge Shell to be a good neighbor and
14 invest in the best available air pollution controls
15 to protect our health.

16 We request that EPA work with Shell to
17 complete a best available control technology review
18 and install pollution controls.

19 It is through mutual respect that we will
20 find a way to work together. This is the air we
21 breathe. Please be respectful of our health, our
22 communities, and the environment.

23 There is one more issue that concerns us
24 tonight. In both 2007 and 2008, the NSB and NSB
25 communities asked EPA to complete the environmental

1 justice analysis required under Executive Order
2 12898 to determine whether the Inupiat would bear a
3 disproportionate risk resulting from the proposed
4 emissions. The federal government has an
5 environmental justice program that was put in place
6 to ensure that Native communities and other
7 minorities are not disproportionately impacted by
8 pollution. EPA did not respond to this request.

9 The NSB appealed this issue to the
10 Environmental Appeals Board, and during the appeal,
11 EPA and Shell conceded that EPA must conduct this
12 analysis. Yet, this analysis still has not been
13 completed. This important work should be completed
14 and made available for public review and comment
15 prior to making any decisions on this permit.

16 In today's informational meeting and in the
17 permit documents, EPA tells us we should not be
18 concerned about this permit. EPA assures us the
19 permit meets the National Ambient Air Quality
20 Standards, and they promise there will be no health
21 impacts. However, our medical expert, Dr. Aaron
22 Wernham, has repeatedly advised us that the current
23 national standards used in this permit are not
24 protective of Native human health. The Inupiat are
25 a more vulnerable population, and our health impacts

1 and environment are unique and deserve a careful
2 assessment.

3 As explained in our comments on the 2007
4 version of this permit and in the Environmental
5 Appeals Board appeal, EPA has not evaluated the
6 health impacts for fine particulate matter, nor has
7 EPA examined the health impacts from hazardous air
8 pollutants emitted from this operation.

9 We have a number of other technical and
10 legal concerns with the proposed permit. These
11 specific concerns will be provided to EPA in
12 writing. But tonight it is important for all of us
13 to hear from the people who are taking their time to
14 share their thoughts. I will end my comments here
15 so community members have the opportunity to speak.

16 Thank you.

17 MR. ROCKWELL: Thank you. George
18 Kaleakok.

19 UNIDENTIFIED SPEAKER: He took off.

20 MR. ROCKWELL: Okay. I do not have
21 any other names. Dan Mahar, anyone else signed in
22 requesting to provide testimony?

23 MR. MAHAR: We have a couple maybes.
24 Edward Rexford, Sr.

25 MR. EDWARD REXFORD, SR.: Good

1 evening. My name is Edward Rexford, Sr.,
2 R-E-X-F-O-R-D. I'm acting as vice president right
3 now for our tribal government. And with past
4 concerns we have with offshore activities and how in
5 the past all the drilling muds have been discharged
6 over into the ocean, I'm going to have to say that I
7 think that general permit that Shell has approved
8 needs to be somehow looked at that that kind of
9 activity does not occur in the future. And
10 that's -- that's been a concern of ours for all
11 these years here in the community and how the
12 industry has no technology to clean up the oil in
13 the broken ice conditions.

14 And so, you know, I think I'll have to
15 oppose the -- the way the permits were handled, and
16 I think the operation should be looked at as a whole
17 instead of as separate, like the borough
18 representative also mentioned and testified to.

19 Thank you.

20 MR. MAHAR: Marie Rexford indicates
21 she would like to testify.

22 MS. MARIE REXFORD: I'm Marie
23 Rexford, R-E-X-F-O-R-D, Kaktovik resident,
24 subsistence hunter. And I oppose this offshore
25 drilling and the permits that are being looked at.

1 We are subsistence hunters, and the planes will
2 always affect our animals and change our way of
3 life. We will have to get more fuel to travel here
4 and there to get our subsistence. And I oppose
5 whatever they are doing with our offshore waters.

6 I don't like what the State did in leasing
7 our waters out. I oppose.

8 MR. ROCKWELL: Thank you. Is there
9 anyone else who would like to -- George. The other
10 George.

11 MR. GEORGE TAGAROOK: I'm a city
12 council member, fire chief, whaling captain. I have
13 been reviewing it a little bit about the permit, but
14 it doesn't explain very much or how long the
15 drilling is going to be. I oppose the minor permit,
16 and give them a major permit because this is -- they
17 are talking about not just one rig. There are other
18 rigs that support the Kulluk rig, so instead of a
19 minor permit, maybe EPA should issue a major permit.
20 So this air quality, how about fair quality for
21 Inupiat residents which oppose offshore drilling?
22 So I think that will be fair.

23 Being a fire chief and an EMT, you know, we
24 are coming up with, you know, air quality hazards
25 from Prudhoe Bay sometimes. You know, when the west

1 wind comes in, we can smell Prudhoe Bay. I envy
2 [sic] Nuiqsut for being the closest community, and
3 they have the health hazards that -- asthma, some
4 chronic diseases and, you know, that's something to
5 look into.

6 So instead of a minor permit, I would
7 recommend a major permit. So thank you.

8 MR. ROCKWELL: Is there anyone else
9 who would like to present testimony? Since it's not
10 quite five minutes to 8:00, I think I'll do the same
11 thing tonight that I did last night in Barrow, and
12 we will take a 15-minute break and we will reconvene
13 and see if there is any additional testimony. And
14 if not, then -- then we will probably call the
15 hearing to an end at that point. So let's take a
16 15-minute recess, and we will reconvene at ten
17 minutes after 8:00. Thank you.

18 (A break was taken.)

19 MR. ROCKWELL: If we could take our
20 seats, we will get started again. It's ten minutes
21 after 8:00, and we are reconvening the public
22 hearing for the air permit for Shell.

23 And during the break, I've had four
24 additional requests for testimony. And so I'd like
25 to call the first. Roberta Leavitt, please.

1 MS. ROBERTA LEAVITT: Good evening.

2 Roberta Leavitt, L-E-A-V-I-T-T. I'm representing
3 myself. I'm actually a resident of Barrow. I'm
4 here doing other things, but I know of this meeting
5 because of my husband and our activities in Barrow.

6 I -- I strongly oppose the issuing of even
7 a minor or a major permit. Some of the reasoning
8 behind it is, one reason, there has been -- over the
9 last five years, I have -- when my kids go out and
10 catch my uuguruqs for my skin boat, at least two of
11 them a year come back sick. And then there was one
12 so sick that I had to get it tested -- actually two
13 of them. They have come back with malignant cancer.

14 The things that are going into the ocean
15 are affecting the other animals that are out there,
16 not just the uuguruq. You got to think about the
17 feeding supply of the whales that go through that
18 are what the whales eat out there.

19 Another concern that I have is even though
20 it's just Shell that's getting that permit, you have
21 all these other companies that have requested
22 permits. And even though that Shell is just alone,
23 you have all these other -- BP, FEX, Chevron, all
24 these other ones that are out here that, you know,
25 that are also polluting, giving all that pollution

1 out. And if you add more into that, that's even
2 more of a stronger opposition because you have all
3 those -- more of those pollutants going out. It may
4 not be just Shell, but you have all these other ones
5 around. You have all those little leases that you
6 gave out, and they are not the same company, so you
7 are not -- you don't have to take those into
8 consideration because it's just Shell coming to you.

9 And -- but you have to also take into
10 consideration all of those, you know. Even if you
11 just ask Shell for a major permit, that's just
12 Shell. You still have BP. You still have FEX. You
13 still have all these other ones around it. And you
14 don't have to take that into consideration when you
15 are approving a Shell document because those
16 companies are not part of Shell. But they still are
17 out in our waters.

18 Another thing, too, is in this area where
19 you -- where you are proposing, you have a lot of
20 our traditional -- our traditional food comes in
21 those areas. The fish, are they going to -- with
22 all this activity, the extra boats that they don't
23 have -- they only tell you about Kulluk, or the name
24 that you were saying, and then you -- and then
25 somebody says that you are going to have all these

1 other extra boats, the fuel barges or the fuel
2 tankers, the ice breakers and all that. All that
3 extra activity, is it going to change the route of
4 the fish? Is it going to change the route of the
5 plankton? All of that has to be taken into
6 consideration.

7 It may not -- to them not seem like
8 nothing, but that's our food supply. You will take
9 that garden away from us, as well, you know. Never
10 mind the spill right now. But that does change the
11 migration route of the whales. If you take their
12 food away, they are going to go in another direction
13 to find -- find another place to eat. So then we
14 are going to have to go a longer distance away to
15 try and get that food supply they need. So our food
16 supply, we are going to have to go further away.

17 So those are some of my oppositions towards
18 giving a permit or approving the permit, even a
19 minor or a major. It does not matter, even if you
20 have a major permit approved, those conditions are
21 still there. Even if they try and -- even if they
22 try and improve the -- get the latest and greatest,
23 that's not going to -- it's still going to affect
24 all of that food chain. It's going to have all
25 those pollutants, the mud that they say is not

1 contaminated.

2 I can tell you that I really highly think
3 that's how my seals are getting cancer. And with
4 the -- within Barrow, we are starting to get a
5 higher cancer rate. You know, we may not have the
6 cancer rate here, but we are getting a higher cancer
7 rate in Barrow.

8 So those are my comments.

9 MR. ROCKWELL: Thank you. And next
10 we will try George Kaleakok again. Okay. Nathan
11 Tagarook.

12 MR. NATHAN TAGAROOK: Hello. My name
13 is Nathan Tagarook, T-A-G-A-R-O-O-K, and I'm a
14 resident of Kaktovik. And I oppose drilling in
15 offshore near Beaufort Sea, especially near this
16 village and other villages, too. But the only thing
17 I can tell you right now is if you have a disaster
18 in the future and you have everything opened up or
19 one place or another and if there is a disaster
20 going on, just like the other people's culture say,
21 we are going to lose our very own Eskimo food we eat
22 around here, especially the whales.

23 And I hope that they won't open up any --
24 anything in the ocean till you get a real
25 complete -- I don't know how they say it -- leak

1 proof or make things leak proof or -- because you
2 are getting all the tons and tons of equipment over
3 there or something, we don't want no pollution in
4 our ocean or in the land.

5 Thank you.

6 MR. ROCKWELL: Thank you. Robert
7 Thompson.

8 MR. ROBERT THOMPSON: My name is
9 Robert Thompson. I live here in Kaktovik. I'm here
10 representing myself. And I am opposed to this EPA
11 decision to approve this permit. It looks like they
12 have just changed the names and it's pretty much the
13 same thing as why the other permit was rejected.
14 You have got a different ship operating, but
15 apparently the same work is going to be done.

16 And this is -- a new revelation to me is
17 that this permit is for multiple years. To read the
18 Shell news releases, like it's just a small
19 operation, just a few wells over by the Canning
20 River, but that wasn't -- I don't think people were
21 aware that this is multi-year in a larger region.

22 Also, it doesn't take into concern the
23 cumulative impacts. You have got -- this permit is
24 allowed for the small operations, they say, and it
25 meets certain limits. But then associated with this

1 eventually, if the offshore areas are developed,
2 there will be onshore development which will also
3 incur other pollutants cumulatively. We are going
4 to be inside of a lot of pollution. We are getting
5 pollution from the whole world that's coming down
6 into the Arctic, and this, what is proposed here, is
7 in addition to that. And I don't know where it's
8 going to go. It will probably be right within this
9 area.

10 We have seen the Arctic haze from pollution
11 from other places. Most likely this pollution that
12 apparently is acceptable to the EPA, it's just going
13 to add to that.

14 And especially it's appalling to realize
15 that Shell Oil wants to be the good neighbor and
16 they want the goodwill of the people, and to know
17 that there is better technology available and they
18 choose to disregard that in order to save money at
19 the expense of our health is -- it's rather
20 disgusting, as a matter of fact, in my mind.

21 If they want to win our favor, I think they
22 should come in with a better plan than to just
23 revise the plan that they -- that was already
24 rejected as a money-saving endeavor. And this looks
25 like, what you did here in the major source review

1 unnecessary, it looks like Shell made a request and
2 EPA just rubber stamped it. It doesn't look like
3 there was actually any change in what is going to
4 happen in the amount of pollution.

5 The activities that are going to be done
6 are much more than what on the surface Shell would
7 let us believe, that there are few wells and that it
8 also would allow relief wells, and then all within
9 the whole area that they have leased. So there is a
10 lot more going on here than the public and the
11 people of Kaktovik are led to believe.

12 And I think our other problem is they are
13 trying to go ahead a little too fast with this. The
14 Bush Administration is trying to push this through
15 in their last days of their administration to
16 support the industry that they -- that they have
17 been involved with rather a lot all over the world
18 and in the United States.

19 So I don't really see any improvement in
20 what EPA and Shell Oil has proposed. I'm opposed to
21 it, and I think we here in Kaktovik and the North
22 Slope deserve better than what is being done.

23 Thank you.

24 MR. ROCKWELL: Thank you. Once
25 again, I'll ask if we have anyone that would like to

1 give testimony.

2 MS. SUSIE AKOOTCHOOK: (Speaking in
3 Inupiat.) A-K-O-O-T-C-H-O-O-K. I was born and
4 raised here. I'm a grandmother. I'm an ana and I'm
5 a great-gran.

6 Listening and seeing your -- Shell's
7 request for minor air permit, I would oppose that
8 exceedingly. And we have winds that go here and
9 there, not knowing which direction they go, but to
10 us here we have north wind, we have northeast wind,
11 we have north, we have west wind, we have north --
12 northwest winds, south winds. And Lord only knows
13 just how far the air pollutant that will come on
14 from the equipment that Shell will use will
15 eventually reach us because it's only 15 miles out.
16 And air travels quite a ways with the wind,
17 depending on how fast the wind is going and which
18 direction it's going in. And then on top of that,
19 when it gets away from the wind, it goes down.

20 And there is not only the people breathing,
21 there is also animals breathing whatever is going to
22 be in the air.

23 The equipment they are talking about, that
24 1983 -- what was it -- tugboat or --

25 MR. RODGER STEEN: Ice breaker.

1 MS. SUSIE AKOOTCHOOK: Ice breaker. You
2 have got to consider the fact that it's 1983, and
3 you got to think of the fact there may be cracks
4 that they don't know is in there or any other kind
5 of stuff, or wiring and stuff like that they might
6 not see with -- with all the airlines that we see
7 right now going through major inspections.

8 So even before that ship should go out in
9 the ocean, it should be inspected thoroughly, and if
10 it -- if it hasn't been done, then, you know, that's
11 just -- they are just asking for a disaster.

12 I oppose the offshore drilling, always
13 have, always will. And the food that we have, we
14 have a lot of hunters here. Each family in this
15 community have a hunter. Each community [sic] in
16 this building have a worker. And those people know
17 who they are. Those that like to go out hunting
18 provide food for the family that need it; not only
19 need it, but it's their nourishment. That's what we
20 eat. We grew up with that. We just don't eat the
21 Western food as much. It gives us heartburn. It's
22 not healthy for us.

23 During the time that you wanted out there,
24 we still have migrations of all kinds of animals
25 that are in water, on our ocean and in our ocean.

1 (Speaking in Inupiat.)

2 Our people, we have -- a lot of people have
3 opposed offshore drilling over and over again, and
4 EPA has again wanted to grant Shell a minor air
5 permit. And that's not right. We have opposed --
6 opposed offshore. We have animals out there. And
7 we are getting a whole lot of more different kind of
8 sea animals out that way.

9 We had an abundance of harvesting this year
10 off land and on -- on the land and offshore, which
11 is good. But to have it disrupt, not knowing
12 whether -- no guarantee at all from Shell Company or
13 what EPA will do to help us out is -- it just -- you
14 know, it's just not there. Just cannot -- you know,
15 listen to us for a while. Try to hurry too much.

16 (Speaking in Inupiat.).

17 Our hunters are getting many'r [sic]. They
18 are staying home more. And with an economy going
19 down and down and all that -- they are all talking
20 about recession -- we are going to be depending more
21 and more on our offshore and our land that provides
22 uswith food.

23 (Speaking in Inupiat.)

24 Anyways, I'm just telling the elders how I
25 feel mostly of what I already said in English. I

1 want to ask EPA or Shell next time they ever come
2 around here to bring their translating equipment
3 because our elders are the ones that knows a lot
4 about what's going on, what's been happening, and
5 how they live out there.

6 (Speaking in Inupiat.)

7 I'm just telling them that we have elders
8 here. I ask that you bring your translating
9 equipment so the elders can be able to understand
10 exactly what -- what you say because they are the
11 ones that taught us everything. They are the
12 masters of all that they taught us, and they are the
13 ones that we learned from, and they have the right
14 to speak.

15 And they cannot speak in English. They can
16 speak in Inupiat, and there can be someone here to
17 speak for them in English. So I ask the people that
18 come here for hearing and stuff like that to bring
19 the translating equipment so we can better let our
20 elders know exactly what is being said in the
21 language of -- in the English language they don't
22 really understand that well.

23 And then when you guys do speak, they
24 understand a little bit, but not all of them because
25 you guys talk really fast. I can go ahead talk real

1 fast and nobody would understand me. And the elders
2 would not be able to understand exactly what I'm
3 saying right now because I'm speaking so fast.

4 So I oppose offshore, even that air permit,
5 that minor permit. Our lives here are valuable, and
6 it's not going to change.

7 Thank you.

8 Oh, and I would indicate that I'm here for
9 myself, also.

10 MR. ROCKWELL: Is there anyone else?

11 MS. NORA JANE BURNS: My name is Nora
12 Jane Burns. I oppose the air permit due to that we
13 have clean air right now, and if any more
14 development should come this way, it would harm our
15 clean air. We have all types of animals, like
16 everybody has been saying. I oppose offshore
17 drilling. And you are bringing the ice breakers,
18 and we are having ice that is receding further and
19 further.

20 I don't want to see any of our animals out
21 there get sick or whatever because we eat off the
22 ocean. We eat animals from inland. I just oppose
23 your air quality permit, and I oppose drilling.

24 Thank you.

25 MR. ROCKWELL: Thank you. And would

1 you be sure to sign in back with Dan Mahar so that
2 we have got the written record of that, as well.

3 Is there anyone else?

4 MS. MARJORIE BROWER: Good evening.
5 My name is Marjorie Brower. I'm representing myself
6 and also my four kids. I strongly oppose what you
7 guys are asking for because we depend on that ocean
8 out there. What's out there is what we live on
9 year-round.

10 My kids, there is not a week that goes by
11 that we don't have some sort of Inupiat food. We
12 can't live off of chicken. We can't live off of
13 beef. We always got to have either muktuk, fish,
14 seal, bearded seal. And we -- if something happens
15 to that ocean, we can't just go to the store and buy
16 muktuk. We can't go to the store and buy char or
17 herring. Sure, we could buy chicken and beef, but
18 that's -- that's not what we are used to. That's
19 not what we grew up on.

20 I bring my kids up the Inupiat way of life.
21 They are always going out with their grandparents.
22 They are showing them how to hunt. And I want my
23 kids to grow up knowing that that ocean will still
24 be the same when they get older, when they have
25 kids.

1 Look at Exxon Valdez. It's been, what,
2 over 20 years there was a spill there. Today they
3 are still picking up oil off that beach, 20 years
4 later. It's not the same.

5 I want my kids to have clean air, clean
6 water, good, healthy food that we don't have to
7 worry about getting tested for whatever kind of
8 chemical that was spilled out there. But I -- I
9 strongly oppose offshore, not only for me, but for
10 my kids because they are used to the Native food.

11 Thank you.

12 MR. ROCKWELL: Thank you. Is there
13 anyone else who would like to provide testimony?

14 I think we may have reached the end of this
15 hearing. I would like to thank you all for
16 providing the input that you have.

17 I'd like to remind you all that the public
18 comment period ends the 1st of April, and we will
19 continue to take your comments through the 1st of
20 April. If you send an e-mail on the 1st, we will
21 accept that. If you send a regular postage letter,
22 as long as the postmark is the 1st of April, we will
23 accept those -- those comments, as well. And we
24 will respond to all of the comments that we have
25 received in the document that's -- goes along with

1 our permit decision when that permit decision is
2 made.

3 So again, on behalf of the agency, thank
4 you very much. We greatly appreciate your help.

5 Good night.

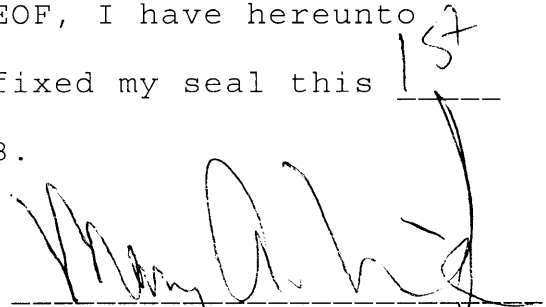
6 (Proceedings adjourned at 8:37 p.m.)
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REPORTER'S CERTIFICATE

I, MARY A. VAVRIK, RMR, Notary Public in
and for the State of Alaska do hereby certify:

That the foregoing proceedings were taken
before me at the time and place herein set forth;
that the proceedings were reported stenographically
by me and later transcribed under my direction by
computer transcription; that the foregoing is a true
record of the proceedings taken at that time; and
that I am not a party to nor have I any interest in
the outcome of the action herein contained.

IN WITNESS WHEREOF, I have hereunto
subscribed my hand and affixed my seal this 1st
day of April 2008.


MARY A. VAVRIK,
Registered Merit Reporter
Notary Public for Alaska

My Commission Expires: November 5, 2008

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